

REMARKS

I. Introduction

Claims 27 to 54 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

II. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter included in claims 27 to 53. In this regard, the Examiner will note that each of claims 27, 29, 30, and 33 has been rewritten to overcome the indefiniteness rejection and is therefore believed to be in condition for immediate allowance. Thus, it is believed and respectfully submitted that claims 27 to 53 are in condition for immediate allowance.

III. Election/Restriction

The Examiner asserts, on pages 2 to 3, that lack of unity of invention exists since “the independent claim is not allowable.” Applicants respectfully disagree. Unity of invention exists “when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special **technical features**,” i.e., “those technical features that define a contribution which each of the inventions, considered as a whole, makes over the prior art.” M.P.E.P. § 1850(II). Since the Final Office Action indicates that independent claim 27 includes allowable subject matter, there must be a **technical feature** present that is not disclosed in the prior art, and thus, there is unity of invention. A rejection based on **indefiniteness** is not sufficient to find lack of unity of invention. In any case, as discussed below, Applicants have amended independent claim 27 to overcome the indefiniteness rejection. Thus, it is respectfully submitted that there is no lack of unity of invention and that the claims are in condition for immediate allowance.

IV. Objection to the Drawings

The Drawings were objected to under 37 C.F.R. § 1.84(p)(5) for failing to show reference numeral 3 mentioned in the specification. The Examiner will note

that Figures 1 to 4 have been amended herein without prejudice to denote a second gear unit input shaft 3. No new matter has been added.

It is therefore respectfully requested that the objection be withdrawn.

V. Rejection of Claims 47 and 48 Under 35 U.S.C. § 112, 1st Paragraph

Claims 47 and 48 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

The Examiner's attention is respectfully directed to, for example, page 7, lines 26 to 32 of the specification, which recites, "[t]he overall construction of the superimposed steering system makes it possible for current to be supplied and/or signals to be forwarded between the components of the steering system without additional current guiding devices such as sliders or flat spiral springs, etc." The Examiner's attention is also respectfully directed to, for example, original claim 20, which recites:

20. The superimposed steering system as claimed in one of claims 1 to 19, characterized in that the current supply and/or the signal forwarding to the servomotor (10) takes place without a transfer device such as sliders or flat spiral springs.

Thus, it is plainly apparent that the written description requirement is satisfied with respect to claims 47 and 48.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claims 27 to 44, 47 to 51, And 53 Under 35 U.S.C. § 112, 2nd Paragraph

Claims 27 to 44, 47 to 51, and 53 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite.

Claims 27, 29, 30, and 33 have been amended herein without prejudice to recite that the "torque of the servomotor is supported on one of...", which is sufficiently definite, and supported in the specification at, e.g., page 4, lines 24 to 28. Accordingly, it is respectfully submitted that claims 27 to 44, 47 to 51, and 53 are sufficiently definite for at least the above reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Claim 54

The Examiner asserts that claim 54 does not properly depend from claim 29 because “it includes structure to a mutually exclusive embodiment.”

Applicants respectfully disagree.

As an initial matter, the Final Office Action fails to clearly set forth which recitation in claims 29 and 54 are considered to disclose structure that are from mutually exclusive embodiments. Thus, it is entirely unclear why claim 54 does not properly depend from claim 29. Furthermore, claim 29 is generic to multiple embodiments. Nowhere does the specification indicate that all of the embodiments are mutually exclusive to each other, and that, for example, the elements of claim 54 cannot be implemented together with the elements of claim 29.

VIII. Conclusion

It is therefore respectfully submitted that the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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